

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CHARLES JAMES ATCITY,

Plaintiff,

v.

No. 1:20-cv-00515-DHU-DLM

THE UNITED STATES OF AMERICA,

Defendant.

**DEFENDANT'S MOTION TO EXPAND PAGE LIMIT FOR EXHIBITS
TO MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION OR
IN THE ALTERNATIVE MOTION FOR SUMMARY JUDGMENT**

Defendant respectfully moves the Court, pursuant to D.N.M.LR-Civ. 7 and 10.5, for leave to expand the page limit for the exhibits to the Motion to Dismiss or in the Alternative Motion for Summary Judgment by one hundred-eleven (111) pages.

As grounds therefor, Defendant states as follows:

1. Defendant has filed its motion to dismiss (Doc. 62) with the first fifty (50) pages of exhibits to the motion, in accordance with D.N.M.LR-Civ. 10.5.
2. Defendant seeks leave from the Court to exceed the page limit for exhibits due to the number of exhibits identified within the motion that are necessary and germane to the issues raised, in accordance with D.N.M.LR-Civ. 10.4.
3. Plaintiff's counsel was contacted and opposes this motion.

Respectfully submitted,

ALEXANDER M.M. UBALLEZ
United States Attorney

/s/ Roberto D. Ortega 9/8/23
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 8, 2023, I filed the foregoing pleading electronically through the CM/ECF system, which caused all parties or counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

/s/ Roberto D. Ortega 9/8/23
ROBERTO D. ORTEGA
Assistant United States Attorney